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SUBJECT: JORDAN: WIDE DISMAY OF "GARMENTS" INCLUSION ON
TVPRA FORCED LABOR LIST

REF: A. AMMAN 2074

[I](#)B. AMMAN 2073
[I](#)C. AMMAN 856
[I](#)D. AMMAN 459
[I](#)E. AMMAN 429
[I](#)F. AMMAN 242
[I](#)G. AMMAN 230
[I](#)H. 08 AMMAN 3388
[I](#)I. 08 AMMAN 3171
[I](#)J. 08 AMMAN 2822
[I](#)K. 08 AMMAN 2600
[I](#)L. 08 AMMAN 2206
[I](#)M. 08 AMMAN 1063

[I](#)1. (SBU) Summary: Contacts strongly and quickly voiced dismay and disapproval of "garments from Jordan" placement on the Trafficking Victims Protection Reauthorization Act (TVPRA) List of Goods Made with Forced Labor. There is near unanimous agreement in Jordan that labeling the entire garment sector in such a manner is inaccurate and not helpful. Due to concerted reform efforts, government and non-government contacts state that instances of forced labor are limited to a few factories that often have ongoing management problems or financial difficulties. Contacts criticized the designation as it reprimands transparent governments like Jordan while not doing the same for more problematic countries, which make it difficult to ascertain true labor conditions in the sector and, as such, limits international attention to their problems. A local official of the largest U.S. buyer, Jones NY, found the designation to be a slap in the company's face as they take great pride in their local partnerships to ensure labor rights and base their purchasing decisions on such factors. Post believes that the focus of labor engagement should shift to legislative reform, such as the labor law, and the situation of other vulnerable workers, including domestic workers and Egyptian laborers. End Summary.

Vast Improvement Since 2006

[I](#)2. (SBU) The designation of "garments from Jordan" under the

TVPRA List of Goods Made with Forced Labor was largely met with disbelief and frustration. Government, civil society, private sector, and international organization contacts believe, and Post concurs, that it is currently unfair to label the entire garment sector in such a manner. Most agree that such a label might have been applicable in 2006 but active government reform efforts, with assistance from donors, and improved oversight by buyers has resulted in a substantial and systemic reduction of forced labor in Qualifying Industrial Zones (OIZs). Contacts again voiced their dismay at the designation throughout the October 5-9 visit of a labor delegation comprised of officials from USTR, Department of Labor, and the Department of State.

¶3. (U) Contacts believe that instances of forced labor are now limited to a handful of factories and is primarily the result of poor management practices or financial difficulties as opposed to systemic use of forced labor for workforce enhancement. In 2009, there were reports of a few factories unable to make prompt salary and overtime payments or holding passports for long periods while attempting to renew work permits. A few factories also reportedly held passports at the request of employees though many factories refused to do so. Allegations of abusive line supervisors were also made in a few factories and the closure of a couple factories resulted in some workers having to wait for receivership to receive final compensation. Contacts widely agree that the above does not add up to a forced labor designation for the entire sector, especially considering the active work of the government and others to address problems.

The Price of Being Open; Where is Egypt?

¶4. (SBU) One of the first questions asked by contacts was whether Egypt or other countries in the region also appears on the list for the same good. While the Ministry of Labor (MOL) and other government officials can often be sensitive to comparisons with neighboring countries, interlocutors knowledgeable about the garment sector in both countries assert that labor rights are better protected in Jordan. Kesava Murali, a Jones NY corporate responsibility official who works with factories in both countries, states that there is a much higher percentage of forced labor conditions in many other countries but believes that a relative lack of transparency, unlike what he sees in Jordan, has meant a limited spotlight on them, including Egypt. (Note: Some of the interlocutors making the comparisons between Jordan and Egypt are Jordanian, while a couple are not. For instance, Murali is Sri Lankan. Embassy Amman is only reporting viewpoints of contacts in Jordan and not commenting on forced labor or labor rights inside Egypt. End Note)

¶5. (SBU) Interlocutors want NGOs, like the New York-based National Labor Committee (NLC), to redirect their focus from Jordan to less transparent countries, where it is needed more. Lejo Sibbel, USAID-funded Adviser in the MOL, and Phil Fishman, Director of the International Labor Organization's (ILO) Jordan Better Work Program, separately told Poloffs that placing countries like Jordan on such lists gives governments very little incentive to work openly with international and local NGOs and donors. Fishman, who has worked in the sector in numerous countries, believes there are many countries that should be placed on the list instead of Jordan but are not because a relative lack of openness diminishes the ability of outsiders to uncover true working conditions. Fishman, Atef Al-Majali, Head of the Complaints Unit at the National Center for Human Rights, and others strongly state that Jordan should be commended for investigating all allegations of forced labor no matter the source and allowing open access to NGOs.

Is The Sector Worth It?

¶6. (SBU) Even before the forced labor designation, grumblings within the MOL over whether the textile sector is even worth pursuing or supporting could be heard. These grumblings have

reportedly increased since the designation. The Ministry of Labor has felt pressure from all sides over the state of the sector. Garment producers and the textile union have criticized the government for not sufficiently supporting the sector during the world economic slowdown and point to governments like Egypt's, which reportedly provide free utilities, rent concessions, and export rebates. Some factories, in fact, have left for Egypt to take advantage of these offers. The NLC continues to make public allegations of forced labor, though now to a lesser degree. As the MOL investigates and responds to each allegation and attempts to address portions of an allegation found to be true, the NLC continues to publish negative statements about Jordan. There are also the criticisms and frustrations that relatively few Jordanians continue to be employed by the sector. In short, ministry officials wonder whether the significant work and precious resources to support such a sector and address employer labor violations are worth the relatively few Jordanian jobs, estimated at 9,000, that it produces.

Slap in the Face of U.S. Buyers

¶7. (SBU) One U.S. buyer informed Post that the forced labor designation was an unnecessary slap in the face of social conscience buyers that list the protection of labor rights

and government transparency as major reasons for buying from Jordan. Murali states that a major reason for the continued active presence of Jones NY in Jordan are the active steps taken by the GOJ to improve labor rights, investigate and resolve labor violations, and work openly with buyers. Such a designation, he feels, gives the impression that Jones NY and other buyers do not care about labor rights when, in fact, the opposite is true. JC Penney is another example of a company that recently praised Jordan for its protection of labor rights and transparency stating those are strong factors in its decisions of where to purchase.

Have We Not Done Enough?

¶8. (SBU) Contacts point to the significant number of initiatives, mechanisms, and safeguards in place to prevent forced labor and wonder what more could have been done. Factory managers tell Post that they are inspected and audited several times throughout the year. In fact, factory owners spoke of "audit fatigue" when meeting with the USG labor delegation on October 7. Inspections, which include checking for signs of forced labor, are routinely conducted by the GOJ's labor inspectorate on an unannounced and scheduled basis and complete audits are regularly conducted by buyers. The MOL also devised a Golden List whereby companies are exempt from paying a hefty bank guarantee if they abide by certain best practices regarding labor rights. Factories participating in the ILO Better Work Program also undergo a complete and comprehensive inspection (Note: Fourteen factories, primarily the largest, currently participate in the Better Work Program. End Note) Additionally, the textile union, which actively represents both foreign and Jordanian workers, maintains offices in the QIZs and factories are open to source-country embassies and NGOs like the National Center for Human Rights, especially when there are any allegations of forced labor.

¶9. (SBU) Comment: Over the past three years, Jordan has made a concerted effort to improve labor conditions in the QIZs and combat forced labor. Local contacts report that such efforts have resulted in a substantial decrease of forced labor in the QIZs but understand more needs to be done to improve labor rights; for instance, allowing foreign workers to join unions. Our partners, however, did not welcome the forced labor designation and believe that it could even make their work more difficult. Nonetheless, they continue to see Jordan as an open and willing partner. Despite the wide criticism of the designation, Post will use the prospect of removal from the list as a tool to push for further reform. Post also believes that the focus of labor engagement must

shift to legislative reform, such as the labor law, and the situation of other vulnerable workers, including domestic workers and Egyptian laborers, while continuing to support government efforts to continue to improve labor conditions in the QIZs. End Comment.

Beecroft